

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**SPIRIT MASTER FUNDING, III, LLC, a
Delaware limited liability company,**

Plaintiff,

V.

**AUTO PLEX OF LINCOLN, LLC, a
Nebraska limited liability company
and CHADRON L. GUTSCHOW, an
individual,**

Defendants.

CASE NO. 8:08CV334

ORDER OF REFERENCE

This matter is before the Court on the Suggestion of Bankruptcy filed by Attorney David G. Hicks on behalf of Defendant Chadron L. Gutschow. (Filing No. 47). In the Suggestion of Bankruptcy, Mr. Hicks states that the Defendant filed a Voluntary Petition in Bankruptcy, pursuant to 11 U.S.C. § 301. (Filing No. 47, Bankruptcy Case No. 09-82064). 11 U.S.C. § 362(a) provides that “a petition filed under section 301 . . . of this title . . . operates as a stay, applicable to all entities, of– (1) the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor”

Pursuant to NEGenR 1.5(a)(1), “Upon the . . . notification that a party to a civil case is a debtor in a bankruptcy case, the entire case will be referred to the bankruptcy court of this district for further action.” Thus, the Court refers the entire case to the United States Bankruptcy Court for the District of Nebraska.

Accordingly,

IT IS ORDERED:

1. The Suggestion of Bankruptcy (Filing No. 47) is judicially noted, and pursuant to NEGenR 1.5(a)(1), this case is referred to the United States Bankruptcy Court for the District of Nebraska;
2. This case shall be terminated for statistical purposes by the Clerk of the Court for the District of Nebraska; and
3. The Clerk of the Court for the District of Nebraska shall transmit the court file to the Clerk of the Bankruptcy Court for the District of Nebraska.

DATED this 10th day of August, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge